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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF WASHINGTON

6 STEPHEN JOSEPH BOVEY,

7 Petitioner,

8 v.

9 STATE OF WASHINGTON,

10 Respondent.

NO: 2:19-CV-0203-TOR

ORDER OF DISMISSAL WITHOUT
PREJUDICE

11 On June 6, 2019, Plaintiff filed a *pro se* Petition for Writ of Habeas Corpus
12 under 28 U.S.C. § 2241, without paying the \$5.00 filing fee or seeking leave to
13 proceed *in forma pauperis*. ECF No. 1.

14 By letter dated June 6, 2019, the Clerk of Court sent Petitioner an Application
15 to Proceed Without Payment of Fees and Affidavit at the Spokane County Jail, which
16 was resent to Petitioner at the Eastern State Hospital when he notified the Court of
17 his change of address. ECF Nos. 2, 4. The letter advised Petitioner of his failure to
18 seek in forma pauperis status or pay the required fee and asked him to remedy the
19 issue. He did not do so.

1 On August 5, 2019, this Court ordered Petitioner to submit a completed *in*
2 *forma pauperis* application within twenty-one (21) days of the date of that Order. In
3 the alternative, Petitioner was advised that he could pay the full \$5.00 filing fee.
4 Petitioner was advised that his failure to do so would result in the dismissal of this
5 case. Petitioner has neither paid the filing fee nor sought in forma pauperis status.


6 Accordingly, **IT IS HEREBY ORDERED:**

- 7 1. This action is **DISMISSED** without prejudice for failure to comply with the
8 filing fee or in forma pauperis requirements of 28 U.S.C. §§ 1914 and 1915.
9 2. The Court certifies any appeal of this dismissal would not be taken in good
10 faith.

11 The Clerk of Court is directed to enter this Order, enter judgment, forward a copy
12 to Plaintiff and **close** the file.

13 **DATED** August 30, 2019.




THOMAS O. RICE
Chief United States District Judge